



STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



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TO: Hazardous Waste Manifest Users of Commingled Waste

FROM: George W. Bruchmann, Chief *George W. Bruchmann*  
Waste and Hazardous Materials Division

DATE: September 1, 2006

SUBJECT: Commingling Requirements - Part 111, Hazardous Waste Management, of the  
Natural Resources and Environmental Protection Act, 1994 PA 451, as Amended

A federal rule change, effective September 5, 2006, requires the use of a new Uniform Hazardous Waste Manifest (Form 8700-22) and, if necessary, the Continuation Sheet (Form 8700-22A) for both interstate and intrastate transportation of hazardous waste as defined in federal and state law

*Michigan Administrative Code*, R 299.9304(6), requires a hazardous waste generator who authorizes a transporter to commingle his or her hazardous waste pursuant to R 299.9405(2) or (3) to add to the manifest the term "com-same," as specified in R 299.9405(2)(f), or "com-diff," as specified in R 299.9405(3)(f). This wording is required to appear in the Special Handling Instructions and Additional Information section of the manifest. The new manifest allows generators to enter any special handling or shipment-specific information necessary for the proper management of the materials. The Michigan Department of Environmental Quality (MDEQ) recognizes states cannot mandate additional requirements to the new manifest not otherwise authorized by Title 40 of the Code of Federal Regulations, Parts 260 through 271. However, the MDEQ also recognizes that this ability for a generator to commingle affords the generator better efficiencies in managing their waste. If a generator desires to continue to have the ability to commingle their waste streams with other generator waste streams, the generator may opt to follow the rules as set forth above by using the Special Handling Instructions and Additional Information section of the new manifest.

To resolve this issue formally, the MDEQ is proposing a rule change. The rule change requires the generator, choosing to commingle the same hazardous waste, to add the letters "CS" to the end of the waste code for the authorized commingling of waste that has the same U.S. Department of Transportation (U.S. DOT) shipping description where the hazard class and packing group are the same. Additionally, the generator, choosing to commingle different hazardous waste, would be required to add the letters "CD" to the end of the waste code for the authorized commingling of waste that has a different U.S. DOT shipping description where the hazard class or packing group is different. As an alternative to the current requirements, the MDEQ would accept a generator and transporter following this proposed rule concept of adding the code "CS" or "CD," as appropriate, to the end of the waste code.

By following either of the two options outlined above, generators retain the ability to commingle wastes to efficiently manage their waste and be considered compliant until the new rule is promulgated.